L. H-27—45,006—19-10-39.

Rev (1940) Department

MS SERIES.

G.O. No. 2582

Dated 7-11-1940

[Despatch Abstract.]

Forests - Lease - land - Coimbatore - Kollegal division - Doddasampagai reserved forest - Relinquishment by Mr. Morris Assessment - payment - Orders passed -

2/40

C.F. 30

14.10.40

Revenue DEPARTMENT.

Received ..... 28695 14 OCT 1940 ASSISTANT SECRETARY TO GOVERNMENT DEVELOPMENT DEPARTMENT

Registered ..... 19..

4-OCT 1940 OFFICE OF THE CHIEF CONSERVATOR OF FORESTS MADRAS

Subject.

Forests - Lease of land - (Coimbatore) - Kollegal division - Doddasampagai reserved forest - Relinquishment by Mr. Morris - Payment of assessment.

G.O.8 UNDER SECRETARY GOVT 14 OCT 1940 DEVELOPMENT DEPARTMENT

ENCLOSURES.

No.

Spare copies

Ref: No. 4972/40-C6.

Station Coimbatore., *Dated the* 1st October 1940. 19xx

From (Name) D.D. Warren, Esq., M.C., I.C.S.,

(Designation) Collector of Coimbatore.

To The Secretary to the Government of Madras,

Development Department.

Thro' The Chief Conservator of Forests, Madras.

Sir,

Ref:- G.O. No. Ms. 1187/Dev. dated 22-5-40

I invite a reference to paragraph 2 of the G.O. quoted above. According to it, the relinquishment takes effect from the date on which Mr. Morris removes the cardamom plants from the relinquished area. But Mr. Morris has not yet removed the plants. He states that he cannot use them because the auction of the lease sanctioned in G.O.No. Ms. 280/Dev. dated 5-2-40 did not take place. According to him, most of these plants have been burnt by jungle fire. He adds that he has given timely notice of the relinquishment and that no work was done since then. In the circumstances

he requests remission of the assessment due on the relinquished area. I enclose copies of the letters received from him in the matter.

2. The District Forest Officer, Kollegal, reports that the auction of the lease sanctioned in G.O. No. Ms. 280/Dev. dated 5-2-40 did not take place as Mr. Morris was the only applicant and that the question of fixing the premium for the lease is under correspondence.

3. According to the conditions of the lease the assessment has to be paid in advance before the 1st October of every year. The assessment for 1939-40 was to have been paid on the 1st October 1939 and the assessment for 1940-41 falls due on the 1st October 1940. As Mr. Morris put in his relinquishment application only after the commencement of the fasli year of 1939-40, he has to pay assessment for that year. As, however, he now agrees not to remove the plants from the relinquished area, I recommend that the assessment for 1940-41 may be remitted.

for Collector.

I.N.L/2-10-40.

Encs; Copies of letters.

ENDORSEMENT REFERENCE No. 9078/40.D1, dated the 12th October 1940.

Forwarded and recommended.

12.10.40

For Chief Conservator of Forests,
Madras.

To

The Secretary to Government,
Development Department.

ks.12.10.

Copy of letter dated 9th July 1940 from Mr. R.C. Morris, Honnametti Estate, Attikan P.O Mysore P.O., to the Collector of Coimbatore.

I am enclosing a copy of my letter of even date addressed to the Tahsildar of Kollegal in reply to his letter of the 29th ultimo, a copy of which I enclose.

When Government laid down that the relinquishment of the cardamom area would take effect from the date on which the cardamoms were removed it was presumed that the cardamoms would be removed this year to plant up the new areas for which I had applied, and which were to have been auctioned in April last. As you are aware, the auction did not occur, and the whole matter has now been deferred pending settlement of the question of premium. It is now too late to clear any of these areas this year; nor have I Government's permission to do so. The cardamoms in the relinquished area cannot be removed until this question is settled, and unless Government agree to the proposals I have put forward on the payment of premium on the new applications the cardamoms will not be removed at all. The area is already growing up into jungle. Notice of relinquishment was given a year ago, prior to the date on which assessment was due. This assessment is pre-paid annually. I am sure you will agree with me that, as no work on this area has been done during the past year, and the cardamoms have not been removed, and may never be removed, claim for payment of assessment should be cancelled. In fact I ask that this claim may be treated as cancelled as, in any case, even if Government agree to hand over the new areas to me next year on the terms I have proposed, and if some of the cardamoms of the relinquished area are utilised to plant up the new areas, it will take at least three years to plant up the new areas by which time the relinquished area will be well up in jungle, and a large part of the cardamoms will have been killed out, as cardamoms are very quickly killed with even one year's jungle growth.

Copy of letter dated 9th July 1940 from ~~the~~ Mr. R.C. Morris, Honnametti Estate, Attikan - Mysore P.O. to the Tahsildar of Kollegal.

Lease - land - Kollegal taluk - cardamom cultivation - payment of leased land.

I am in receipt of your letter No. 4613/39, dated 29-6-1940.

I have referred the subject of relinquishment taking effect from the date on which the cardamoms are removed back to the Collector as the area was relinquished a year ago, has not been worked, and quite probably the cardamom will not be removed at all. If the cardamoms are removed, or made use of, I agree that it is only fair that I should pay assessment, but as the cardamoms have not been touched, and are bearing no crop, I cannot agree that there is any ground for claiming assessment on an abandoned area, prior notice having been given of relinquishment before payment of assessment was due, and that assessment was due to be pre-paid for the year. Had the cardamoms been worked during that year assessment could rightly be claimed, but this was not the case and the area is now rapidly growing up into jungle.

1.4.40 (G)

Copy of letter dated 23rd August 1940 from Heath & Morris, for Mr. R.C. Morris, Honnametti Estate, to the Collector of Coimbatore.

Forests - Lease of land - Doddasampagai reserved forest - Cardamoms land - Relinquished.

Your letter dated 10th August 1940. No. 4972/40-CC.

I agree not to remove any remaining cardamoms in relinquished ar

Please note jungle fires have ~~not~~ burnt most of the cardamom plants which were planted.

Rev. Dept.

Forests — Lease — Coimbatore — ~~Extension~~ Doddasampagai reserved forest — Relinquishment Payment of assessment.

Ref. 28668 C/40 — From the C.C.F., Ref. No. 9078/40-D1 dt 12-10-40.

To R.S.

In 1932 an extent of 184 acres of land in Doddasampagai reserved forest was leased out to Mr. R.C. Morris of the Honnametti Estate for the cultivation of Cardamoms Of this extent he relinquished 37 acres in 1934. In September 1939, he requested that he might be permitted to relinquish the whole of the remaining area except a small portion of 7 acres and that he might be permitted to retain the Cardamom plants in the area until the next planting season. In Go. No. 1187 Rev. dt. 22-5-40, the Govt. agreed to the ~~proposal~~ relinquishment of the area by Mr. Morris but Direct

that the relinquishment shall take effect from the Date on which Mr. Morris removes the Cardamom plants from the leased area - and that assessment should be collected from him upto and including the year in which the plants are removed.

Mr. Morris has not so far removed the plants. Hence he is liable to pay assessment upto and including 1940-41. He however states that since his notice of relinquishment in September 1939, he has not done any work in the area and that he does not propose to remove the ~~[illegible]~~ plants from the land. He therefore requests the remission of the assessment due on 1st. October 1939 - and on 1st. October 1940 - i.e the assessment due for 1939-40 and 1940-41. The Collector of Combatore States that he must pay the assessment for 1939-40. and recommends that the assessment for 1940-41 may be remitted.

The Chief Conservator supports

the proposal. A reference is solicited to the minutes of A2 on p 18 & Lo. 1187 Dev. Dy 22-5-40. As Mr. Morris is stated not to have removed any plants from the relinquished area since the date of his notice of relinquishment in September 1939, there does not seem to be any objection to Collectors' proposal being accepted for area. The remarks of D.O. may be invited

There is no probe provision for Mr. Morris that he had relinquished the land what he stated was that he wished to relinquish it but that Govt. should allow him to retain the cardamom plants on the land to be removed by him later. The Govt. ordered on this that the relinquishment would take effect

and from the date on which he removed the plants on the land and that assessment shd. be collected from him up to and including the year in which the plants are removed. He had cultivated the area as he tried to make out now and he is responsible for the payment of the assessment on the land until he removes the plants. But as on 23.8.40, i.e., before the current fasli, Mr. Morris agreed not to remove any remaining plants, that letter may be treated as notice that he had relinquished the land and the assessment for 1940-41 need not be collected from him. The assessment for 1938-40 shd. be collected.

Fin. may see for remarks.

Ag
24.10.40

B

Finance (Accts)

Please see notes from page 1 ante.

The proposal of Devt. at B above may be agreed to

Finance
25-X-40

D
39361 Accts

Ag
29.10.40

C The amt. involved is Rs 700 for 1940-41 at Rs 5 per acre.

It is not clear from the papers put up the manner in which and date the lease was commenced. If it

Govt. Order
1841.0

G.O. 1827 Dev. d. 22.12. relating to the original lease and G.O. 667 Dev. d. 18.3.34 sanctioning relinquishment of 34 acres are kept in the file

commenced from the 1st October as has been assumed above, Finance may agree to the waiver of assessment as from the 1st October 1940, as the Morris letter d 23.8.1940 may be taken to be relinquishment. Otherwise the assessment shall be collected proportionately up to 23.8.1940 as a concession.

Fin no 39961/40

ASSISTANT SECRETARY TO GOVERNMENT
1 NOV 1940
DEVELOPMENT DEPARTMENT

Rev : Secy.

To V.S.

30568e

UNDER SECRETARY TO GOVT.
1-NOV 1940
DEVELOPMENT DEPARTMENT

G.O. Nos. 1827 Rev. d. 22.12.31 and 669 Rev. d. 18.3.34 are put up. They do not contain the information wanted by the Finance Dept. It will be observed from the orders issued in G.O. No. 1827 Rev. d. 22.12.31 that the land was leased to Mr. Morris on conditions similar to those in force in the Madura Dt. According to Condition 5 of the form of the lease agreement appended to G.O. No. 1791 Rev. d. 17.12.31, the assessment has ~~charge~~ to be paid in advance before 1st October of every year. So, if as suggested by the Collector of Coimbatore and approved by the Finance Dept., assessment for 1939-40 were

to be collected, it means that assessment will be collected upto 30th September 1940. The question of assessment being collected proportionately upto 23.8.1940 therefore does not arise

A draft order is submitted

5/11/40

5/11/40.

6.11.40

7/11/40

[Issued as G.O. 2582 Dev. d. 7.11.40]

p 11 below.

C.F.16.

Dev. Dept

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined...		
When signed ...		
When despatched.		

SUBJECT:- Forests - Lease - Land - Coimbatore Kollegal division - Doddasampagai Reserved forest - Relinquishment by Mr. Morris - Assessment - payment - order passed

READ AGAIN G.O. 1187 Dev., dated 22. 5. 1940. - (G)

" " " 19

READ *ALSO*:—

C No. 28682/40 From the Collr. of Coimbatore Rep., No. 4972/40-C6, dated 1. 10. 1940. - Rp 1-2 C

" C.C.F. Kindl. Rep., 9078/40 D1, 12. 10. 1940. - R 2 C.F

" " " 19

Order / Resolution — Ms. / Roul. No. 2582, dated 7-11- 19 40.

B. & I. N. F

Dpt'l. ... F

Date 8-11-1940.

F. & N. F.

Put up 9/11/40

The Collector of Coimbatore is requested to inform Mr. Morris that his request for the remission of the assessment for the year 1939-40 cannot be complied with

As however Mr. Morris has in his letter dated 23.8.40 agreed not to remove any plant from the ~~relinquished~~ area no assessment need be collected from him for the year 1940-41.

The Collr. of Coimbatore ✓

.. C.C.F. ✓

.. A.G. thro' Fin. ✓

Copyist Fair ✓

5.11.40

5/11/40

6.11.40

Cal

7/11/40